

8 DAE  
JW

**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No.  
85773-109cip  
formerly 85773-382

In Re Application Of: Xiaoyun HU et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/022,430	December 20, 2001	N/A	28291	2634	4287

Title: **SYSTEM AND METHOD FOR VARIABLE BANDWIDTH TRANSMISSION**

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

**REQUEST FOR CORRECTION OF INVENTORSHIP UNDER 37 CFR §1.48**

in the above identified application.

- ☐ No additional fee is required.
- ☒ A check in the amount of **\$130.00** is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **19-2550** as described below.
- ☐ Charge the amount of
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

  
Signature

Dated: April 4, 2005

Stephan P. Georgiev, Reg. No. 37,563  
SMART & BIGGAR  
1000 de la Gauchetière Street West  
Suite 3300  
Montreal, Quebec H3B 4W5  
CANADA

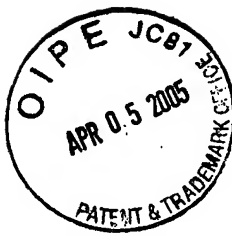
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

(Date)

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC:



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re: U.S. Patent Application of XIAOYUN HU et al.  
App. No.: 10/022,430 Art Unit: 2634  
Filed: December 20, 2001  
For: SYSTEM AND METHOD FOR VARIABLE BANDWIDTH  
TRANSMISSION

---

**REQUEST FOR CORRECTION OF INVENTORSHIP UNDER 37 CFR §1.48**

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Sir/Madam:

Pursuant to 37 CFR §1.48, please correct the inventorship of the above-identified nonprovisional application as follows.

Please add the following person not named as an inventor in the declaration filed on March 11, 2002, as an inventor for the present application:

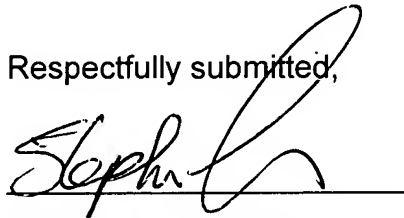
**Thomas Cameron**

In accordance with 37 CFR §1.48(a), enclosed herewith are:

- (a) a statement from each person being added as an inventor and from each person being deleted as an inventor that the error in inventorship occurred without deceptive intention on his or her part;

- (b) an oath or declaration by the actual inventor or inventors as required by 37 CFR § 1.63 or as permitted by 37 CFR §§ 1.42, 1.43 or 37 CFR § 1.47;
- (c) a power of attorney from assignee;
- (d) the processing fee of \$130.00 set forth in 37 CFR § 1.17(i); and
- (e) a statement of consent of the assignee, since an assignment has been executed by the original named inventors;
- (f) a copy of an assignment signed by the person being added as an inventor, Thomas Cameron, and being submitted for recordal concurrently herewith.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Steph', followed by a horizontal line.

Stephan P. Georgiev  
Agent for the Applicants  
Reg. No. 37,563

Date: April 4, 2005

SMART & BIGGAR  
1000 de la Gauchetière St. West  
Suite 3300  
Montreal, Quebec H3B 4W5  
Canada  
Tel.: (514) 954-1500  
Fax: (514) 954-1396



**Statement of Thomas Cameron under 37 CFR §1.48(a)(2)**

1. I, Thomas Cameron, residing at 18 Willow Gardens Cres., Stittsville, Ontario, Canada, hereby declare as follows.
2. Through error, I was not named as an inventor of the subject matter which is claimed in U.S. Patent Application Serial No. 10/022,430 filed on December 20, 2001.
3. The error in inventorship occurred without deceptive intention on my part.
4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of U.S. Patent Application Serial No. 10/022,430 or any patent issued thereon.

Respectfully submitted,

Thomas Cameron

Date: Feb 18/05

**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**☐Declaration  
Submitted  
With Initial  
Filing

OR

☒Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)Attorney Docket  
Number

85773-109cip

First Named Inventor

Xiaoyun HU

**COMPLETE IF KNOWN**

Application Number

10/022,430

Filing Date

December 20, 2001

Art Unit

2634

Examiner Name

N/A

**I hereby declare that:**

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**SYSTEM AND METHOD FOR VARIABLE BANDWIDTH TRANSMISSION***(Title of the Invention)*

the specification of which

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is attached hereto

OR

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was filed on (MM/DD/YYYY)

12/20/2001

as United States Application Number or PCT International

Application Number

10/022,430

and was amended on (MM/DD/YYYY)

11/12/2003

(if applicable).

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I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

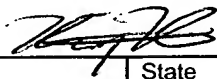
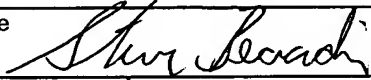
[Page 1 of 2]

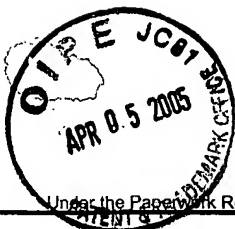
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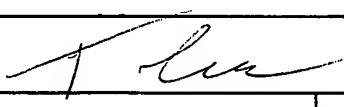
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**DECLARATION — Utility or Design Patent Application**

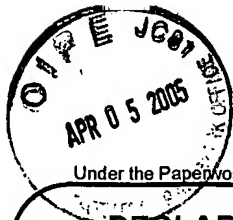
Direct all correspondence to: <input checked="" type="checkbox"/> The address associated with Customer Number: <span style="border: 1px solid black; padding: 2px 20px;">28291</span>		OR <input type="checkbox"/> Correspondence address below	
Name SMART & BIGGAR			
Address 1000 de la Gauchetière Street West, Suite 3300			
City Montreal	State Quebec	ZIP H3B 4W5	
Country CANADA	Telephone (514) 954-1500	Fax (514) 954-1396	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
<b>NAME OF SOLE OR FIRST INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Xiaoyun		Family Name or Surname HU	
Inventor's Signature 			Date Mar 1, 2005
Residence: City Ottawa	State Ontario	Country CANADA	Citizenship CANADIAN
Mailing Address 1320 Richmond Road, Apt. 419			
City Ottawa	State Ontario	Zip K2B 8L3	Country CANADA
<b>NAME OF SECOND INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Steve A.		Family Name or Surname BEAUDIN	
Inventor's Signature 			Date 1 Mar 2005
Residence: City Ottawa	State Ontario	Country CANADA	Citizenship CANADIAN
Mailing Address <del>171 Lee Ave., #1512</del> 14 Tierney Drive S.D. Nepean			
City <del>Ottawa</del> NEPEAN	State Ontario	Zip <del>K1S 5P3</del> K2J-4W2 S.D.	Country CANADA
<input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on the 2 supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.			

**DECLARATION****ADDITIONAL INVENTOR(S)**  
Supplemental SheetPage 3 of 4

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
John J.		NISBET	
Inventor's Signature		Date	
Nepean Residence: City	Ontario State	CANADA Country	CANADIAN Citizenship
17 Wigan Drive			
Mailing Address			
Nepean City	Ontario State	K2E 6K9 Zip	CANADA Country
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Conrad F.		GRATTON	
Inventor's Signature		Date	
Casselman Residence: City	Ontario State	CANADA Country	CANADIAN Citizenship
508 Rte 500 East			
Mailing Address			
Casselman City	Ontario State	CANADA Zip	CANADIAN Country
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Thomas		CAMERON	
Inventor's Signature 		Date Feb 17/05	
Stittsville Residence: City	Ontario State	CANADA Country	CANADIAN Citizenship
18 Willow Gardens Cres.			
Mailing Address			
Stittsville City	Ontario State	K2S 1R7 Zip	CANADA Country

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PTO/SB/01 (09-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

☐ Declaration  
Submitted  
With Initial  
Filing

OR

☒ Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

Attorney Docket  
Number

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Xiaoyun HU

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Art Unit

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(Title of the Invention)

the specification of which

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Application Number **10/022,430** and was amended on (MM/DD/YYYY) **11/12/2003** (if applicable).

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				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

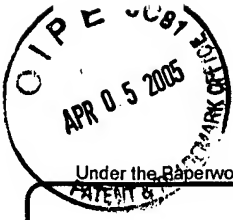
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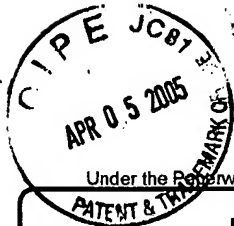




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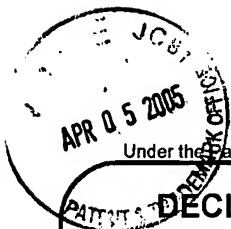
Direct all correspondence to:		<input checked="" type="checkbox"/> The address associated with Customer Number:	28291	OR	<input type="checkbox"/> Correspondence address below
Name					
Address					
City		State		ZIP	
Country		Telephone		Fax	
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NAME OF SOLE OR FIRST INVENTOR:			<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])			Family Name or Surname		
Xiaoyun			HU		
Inventor's Signature				Date	
Residence: City	State	Country	Citizenship		
Ottawa	Ontario	CANADA	CANADA		
Mailing Address					
1320 Richmond Road, Apt. 419					
City	State	Zip	Country		
Ottawa	Ontario	K2B 8L3	CANADA		
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Steve A.			BEAUDIN		
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**DECLARATION — Utility or Design Patent Application**

Direct all correspondence to:



The address associated with Customer Number:

28291

OR



Correspondence address below

Name

Address

City

State

ZIP

Country

Telephone

Fax

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NAME OF SOLE OR FIRST INVENTOR:



A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

Xiaoyun

Family Name or Surname

HU

Inventor's Signature

Date

Residence: City

Ottawa

State

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NAME OF SECOND INVENTOR:



A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

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Family Name or Surname

BEAUDIN

Inventor's Signature

Date

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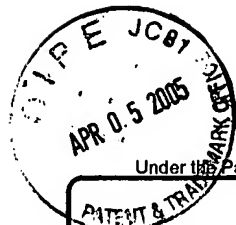
K1S 5P3

Country

CANADA



Additional inventors or a legal representative are being named on the 1 supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.



<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S)</b>
	Supplemental Sheet
Page <u>1</u> of <u>1</u>	

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
John J.		NISBET	
Inventor's Signature <i>John Nisbet</i>		Date <i>March 11, 2005</i>	
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<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Conrad F.		GRATTON	
Inventor's Signature		Date	
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<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Thomas		CAMERON	
Inventor's Signature		Date	
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18 Willow Gardens Cres. Mailing Address			
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This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PATENT/DOCKET NO. 85773-109cip  
CUSTOMER NO. 28291

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of: Xiaoyun HU et al.

Serial No.: 10/022,430

§  
§  
§  
§

Group Art Unit: 2634

Filed: December 20, 2001

Examiner: N/A

Title: **SYSTEM AND METHOD FOR VARIABLE BANDWIDTH  
TRANSMISSION**

Commissioner for Patents  
Alexandria, Virginia 22313-1450

**POWER OF ATTORNEY FOR  
PATENT APPLICATION**

Nortel Networks Limited, a Canadian corporation having principal offices at:

**Nortel Networks Limited  
2351 Boulevard Alfred-Nobel  
St. Laurent, Quebec H4S 2A9, Canada**

the owner by assignment of the entire right, title and interest to the invention **SYSTEM AND METHOD FOR VARIABLE BANDWIDTH TRANSMISSION**, by Xiaoyun HU et al., and in and to the application for patent and any Letters Patent, whether domestic or foreign, that may issue thereon, hereby appoints the Practitioners associated with the following Customer Number to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

**CUSTOMER NUMBER: 28291**

its attorneys with full power of substitution and revocation, to prosecute all domestic and foreign patent applications, including PCT and EPO filings, relating to said invention and to transact all business connected therewith, including signing of all papers on its behalf and making alterations and amendments.

PLEASE SEND CORRESPONDENCE TO:

**CUSTOMER NUMBER: 28291**

**SMART & BIGGAR**

1000 de la Gauchetiere Street West, Suite 3300

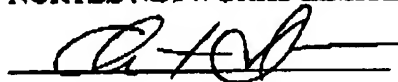
Montreal, Quebec H3B 4W5

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The undersigned is the representative for the Assignee of the entire right, title, and interest in the patent application identified above, and is authorized to act on behalf of the Assignee.

NORTEL NETWORKS LIMITED



Name: Curt Dodd

Title: Intellectual Property Counsel

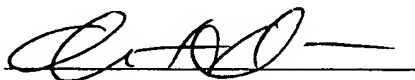
Date: March 24, 2005

**Statement of consent of assignee under 37 CFR §1.48(a)(5)**

1. NORTEL NETWORKS LIMITED, whose full address is 2351 Boulevard Alfred-Nobel, St-Laurent, Quebec, Canada, H4S 2A9, represents that it is the Assignee of the entire interest of U.S. Patent Application Serial No. 10/022,430 filed on December 20, 2001 and entitled "SYSTEM AND METHOD FOR VARIABLE BANDWIDTH TRANSMISSION", as indicated by Assignments recorded in the United States Patent and Trademark Office on March 11, 2002 at reel 012664, frame 0935.
2. Through error, Thomas Cameron was not named as an inventor of the subject matter which is claimed in U.S. Patent Application Serial No. 10/022,430.
3. NORTEL NETWORKS LIMITED hereby consents to the addition of Thomas Cameron as an inventor for U.S. Patent Application Serial No. 10/022,430.

Respectfully submitted,

NORTEL NETWORKS LIMITED



Curt Dodd

Name: \_\_\_\_\_

Title: Intellectual Property Counsel

Date: April 4, 2005





**FOR VALUABLE CONSIDERATION**, the receipt of which is hereby acknowledged, I the undersigned, whose full post office address is listed below my name, do hereby sell, assign and transfer to:

**NORTEL NETWORKS LIMITED**

(hereinafter "Nortel"), its successors, assigns and legal representatives, whose full post office address is:

2351 Boulevard Alfred-Nobel  
St. Laurent, Quebec  
Canada, H4S 2A9

all my right, title, and interest worldwide in and to the invention relating to

**SYSTEM AND METHOD FOR VARIABLE BANDWIDTH TRANSMISSION**

as described in an application for letters patent filed in the United States of America on December 20, 2001, and given serial number 10/022,430, as well as all rights and privileges including priority rights arising from the aforesaid application and corresponding applications in other countries, all continuations, continuations-in-part, divisions, renewals, substitutes or reissues thereof, and all the rights and privileges under any and all letters patent that may be granted for said invention.

I undertake without charges to Nortel but at its request and expense to execute all documents, take all oaths and do all reasonable acts to enable Nortel, its successors assigns and legal representatives to procure and maintain patent or any other intellectual property protection for said invention in any and all countries and to vest title thereto to Nortel, its successors assigns and legal representatives.

THE UNDERSIGNED hereby authorizes the firm of SMART & BIGGAR whose full post office address is 1000 de la Gauchetière West, Suite 3300, Montreal, Quebec, H3B 4W5, CANADA to correct clerical errors in this Assignment or to insert any further identification or other information necessary or desirable to make this Assignment suitable for recordal in a domestic or foreign Patent Office.

**Thomas CAMERON**  
18 Willow Gardens Cres.  
Stittsville, Ontario  
K2S 1R7  
CANADA

Date

Feb 18/05

Witness signature

**SOMSACK SYCHALEUN**

Witness Name (Print)